

Effective 3/28/2016

63G-6a-112 Required public notice.

- (1) The division or a procurement unit with independent procurement authority that issues a solicitation required to be published in accordance with this section, shall provide public notice that includes:
 - (a) the name of the conducting procurement unit;
 - (b) the name of the procurement unit acquiring the procurement item;
 - (c) information on how to contact the issuing procurement unit;
 - (d) the date of the opening and closing of the solicitation;
 - (e) information on how to obtain a copy of the procurement documents;
 - (f) a general description of the procurement items that will be obtained through the standard procurement process or procurement under Section 63G-6a-802; and
 - (g) for a notice of a procurement under Section 63G-6a-802:
 - (i) contact information and other information relating to contesting or obtaining additional information relating to the procurement; and
 - (ii) the earliest date that the procurement unit may make the procurement.
- (2) Except as provided in Subsection (4), the issuing procurement unit shall publish the notice described in Subsection (1):
 - (a) at least seven days before the day of the deadline for submission of a bid or other response; and
 - (b)
 - (i) in a newspaper of general circulation in the state;
 - (ii) in a newspaper of local circulation in the area:
 - (A) directly impacted by the procurement; or
 - (B) over which the procurement unit has jurisdiction;
 - (iii) on the main website for the issuing procurement unit or the procurement unit acquiring the procurement item; or
 - (iv) on a state website that is owned, managed by, or provided under contract with, the division for posting a public procurement notice.
- (3) Except as provided in Subsection (4), for a procurement under Section 63G-6a-802 for which notice is required to be published in accordance with this section, the issuing procurement unit shall publish the notice described in Subsection (1):
 - (a) at least seven days before the acquisition of the procurement item; and
 - (b)
 - (i) in a newspaper of general circulation in the state;
 - (ii) in a newspaper of local circulation in the area:
 - (A) directly impacted by the procurement; or
 - (B) over which the procurement unit has jurisdiction;
 - (iii) on the main website for the procurement unit acquiring the procurement item; or
 - (iv) on a state website that is owned by, managed by, or provided under contract with, the division for posting a procurement notice.
- (4) An issuing procurement unit may reduce the seven-day period described in Subsection (2) or (3), if the procurement officer or the procurement officer's designee signs a written statement that:
 - (a) states that a shorter time is needed; and
 - (b) determines that competition from multiple sources may be obtained within the shorter period of time.
- (5)

- (a) An issuing procurement unit shall make a copy of the solicitation documents available for public inspection at the main office of the issuing procurement unit or on the website described in Subsection (2)(b) until the award of the contract or the cancellation of the procurement.
- (b) A procurement unit issuing a procurement under Section 63G-6a-802 shall make a copy of information related to the procurement available for public inspection at the main office of the procurement unit or on the website described in Subsection (3)(b) until the award of the contract or the cancellation of the procurement.
- (c) A procurement unit shall maintain all records in accordance with Part 20, Records.
- (6) A procurement unit that issues a request for statement of qualifications as part of an approved vendor list process that results in the establishment of an open-ended vendor list, as defined in Section 63G-6a-507, shall keep the request for statement of qualifications posted on a website described in Subsection (2)(b)(iii) or (iv) during the entire period of the open-ended vendor list.

Renumbered and Amended by Chapter 355, 2016 General Session